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September 22, 2005

**SUBMITTED VIA ELECTRONIC  
COMMENT FILING SYSTEM**

The Honorable Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, DC 20554

Re: **WC Docket No. 05-196**  
**Subscriber Acknowledgement Report (September 22, 2005)**  
**Digital Agent, LLC**

Dear Ms Dortch:

We represent Digital Agent, LLC ("Digital Agent"). This letter constitutes Digital Agent's September 22, 2005 Subscriber Acknowledgement Report concerning its compliance with the subscriber notification and acknowledgement requirements for interconnected Voice over Internet Protocol ("VoIP") services adopted by the Federal Communications Commission ("Commission") on June 3, 2005 in WC Docket Nos. 04-36 and 05-196.

Digital Agent is a Georgia-certificated competitive local exchange carrier that provides local and long distance telecommunications services primarily to multi-line enterprise customers located in the Atlanta LATA using a combination of VoIP and traditional circuit-switched technologies. Digital Agent has a *de minimis* number of single line customers and a *de minimis* number of VoIP customers whose primary service addresses are outside the Atlanta LATA. Digital Agent does not provide telecommunications services (including VoIP services) to residential customers.

**Subscriber Notification and Stickers**

As stated in its Subscriber Notification Report submitted on August 10, 2005 ("August 10 Report"), Digital Agent completed the mailing of a notification letter and warning stickers to each of its VoIP subscribers on July 29, 2005. Template copies of the notification letter, the envelope in which it was mailed and the stickers were submitted with the August 10 Report.

**Acknowledgements to Date**

As of the date of this report, Digital Agent has received affirmative acknowledgements of its notification letter from ninety percent (90%) of its VoIP subscribers. Digital Agent currently has no

WC Docket No. 05-196

Digital Agent, LLC Subscriber Acknowledgement Report

September 22, 2005 Page 2

basis for estimating the percentage of its VoIP subscribers who may fail to provide affirmative acknowledgements by September 28, 2005, but is engaged in the ongoing followup efforts described below.

### **Planned Actions**

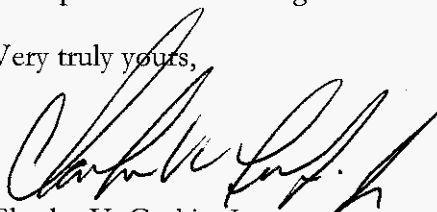
Digital Agent customer care employees are telephoning Digital Agent's VoIP subscribers who have not yet acknowledged Digital Agent's 911 notification daily in an effort to obtain their acknowledgements, providing them a general overview of the previously provided notification and urging them to acknowledge their receipt and understanding of the notification through the website or telephone number that Digital Agent has established for that purpose. On or before Tuesday, September 27, 2005, Digital Agent intends to send an overnight letter to each subscriber from whom it has not yet received affirmative acknowledgement of E911 limitations, clearly advising those subscribers that their service will be suspended, as described below, on September 28 if they do not respond as required.

### **"Soft" Disconnect**

In the event that Digital Agent has not received affirmative acknowledgements of its 911 notification from all of its VoIP subscribers by September 28, 2005, Digital Agent will suspend service on that date to those customers from whom it has not received acknowledgements using a "soft" disconnect. Calls to 911 will be handled as described in Digital Agent's notification letter. As stated in the notification letter, all 911 calls from customers whose primary service addresses are in the Atlanta LATA will be delivered VIA selective router to the Public Safety Answering Point associated with the primary service address. All other calls will be routed to an intercept message that will explain why the customer's service has been suspended and refer the caller to the website and telephone number for acknowledging the notification.

Please direct any inquiries concerning this report to the undersigned.

Very truly yours,



Charles V. Gerkin, Jr.  
Attorney for Digital Agent, LLC

CVG/nb

cc (VIA e-mail):

Mr. Jason K. Rice  
Mr. Byron McCoy  
Ms. Kathy Berthot  
Ms. Janice Miles  
Best Copy and Printing, Inc.